

Serial No.: 10/550,070
Examiner: Benjamin M. Kurtz
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REMARKS

Reconsideration is requested in view of the above amendments and the following remarks. Claims 1 and 10 have been revised. Support for the revisions can be found at, e.g., page 8, lines 2-4, page 14, lines 8-12 and 27-30, and page 7, lines 27-30 of the specification, and Figs. 3A, 3B, 4A and 4C, among other places. Claims 1-16 remain pending in the application. Claims 14-16 are withdrawn. Applicants note that the Office Action Summary Sheet lists only claims 1-13 as pending.

Objections to the Specification

The Abstract is objected to because it exceeds 150 words in length. The Abstract has been revised to address the Examiner's concern. Withdrawal of the objection is respectfully requested.

Claim Rejections – 35 USC § 112

Claim 10 is rejected under 35 USC 112, second paragraph, as being indefinite. Claim 10 has been revised to address this issue. Withdrawal of the rejection is respectfully requested.

Claim Rejections – 35 USC § 102

Claims 1 and 10-13 are rejected under 35 USC § 102(b) as being anticipated by Haworth et al. (US 5,651,765) or Peterson et al. (US 5,782,791). Applicants respectfully traverse this rejection.

Claim 1 is directed to a blood filter device including a plurality of parallel linear pleats. Claim 1 further requires a plurality of holding ribs extending inwardly from a wall of a filter retaining portion to be provided at positions corresponding to end portions of the respective pleats. The positioning of the pleats helps reduce obstructions to releasing air bubbles and thus helps discharge air bubbles out of the blood filter device easily and effectively (see, e.g., page 2, lines 24- 27 and page 8, lines 20-29 of the specification, among other places).

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Haworth et al. failed to disclose the plurality of parallel linear pleats as required by claim 1. Nor do Haworth et al. disclose the plurality of holding ribs extending inwardly from a wall of a filter retaining portion to be provided at positions corresponding to end portions of the respective pleats. Instead, Haworth et al. discuss a filter element 20 having concentric pleats 24 supported by concentric annular members 30 (see Haworth et al., col. 4, line 62 to col. 5, line 16 and Figs. 2 and 3.). Haworth et al. is completely silent as to the plurality of parallel linear pleats and the holding ribs extending inwardly from a wall of a filter retaining portion, as required by claim 1.

For at least these reasons, claim 1 is patentable over Haworth et al. Claims 10-13 depend from claim 1 and are patentable along with claim 1 and need not be separately distinguished at this time. Applicants are not conceding the relevance of the rejection to the remaining features of the rejected claims.

Claim 1 is patentable over Peterson et al. for reasons similar to those discussed above. Peterson et al. merely discuss a filter element 20 having concentric pleats 24 supported by concentric annular members 30 (see Peterson et al., col. 5, lines 33-54 and Figs. 2 and 3), while being silent as to the plurality of parallel linear pleats and the holding ribs extending inwardly from a wall of a filter retaining portion, as required by claim 1. Claims 10-13 depend from claim 1 and are patentable along with claim 1 and need not be separately distinguished at this time. Applicants are not conceding the relevance of the reference to the remaining features of the rejected claims.

Claim Rejections – 35 USC § 103

Claim 2 is rejected under 35 USC 103(a) as being unpatentable over Haworth et al. or Peterson et al. in view of Graus (US 6,143,174). Applicants respectfully traverse this rejection. Claim 2 depends from claim 1 and is patentable over Haworth et al. or Peterson et al. in view of Graus for at least the same reasons discussed above regarding claims 1 and 10-13.

Graus does not remedy the deficiencies of Haworth et al. or Peterson et al. In fact, Graus fails to teach or suggest that a plurality of holding ribs extending inwardly from a

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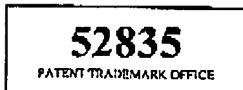
wall of a filter retaining portion be provided at positions corresponding to end portions of the respective pleats. Applicants are not conceding the relevance of the rejection to the remaining features of the rejected claim.

Claims 3-9 are rejected under 35 USC 103(a) as being unpatentable over Haworth et al. or Peterson et al. Applicants respectfully traverse this rejection. Claims 3-9 depend ultimately from claim 1 and are patentable over Haworth et al. or Peterson et al. for at least the same reasons discussed above regarding claims 1 and 10-13. Applicants are not conceding the relevance of the rejection to the remaining features of the rejected claim.

In view of the above, favorable reconsideration in the form of a notice of allowance is respectfully requested. Any questions regarding this communication can be directed to the undersigned attorney, Douglas P. Mueller, Reg. No. 30,300, at (612) 455-3804.

Respectfully submitted,

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Dated: October 6, 2008

By:

A handwritten signature in black ink, appearing to be 'D. Mueller', written over a horizontal line.

Douglas P. Mueller
Reg. No. 30,300

DPM/cy